

Fast Track Proposed Amendments

CHAPTER 20 REGULATIONS GOVERNING THE PRACTICE OF NURSING

Part VI ~~Advanced Certification For Nurse Aides~~

~~18VAC90-20-361. Requirements for initial certification as an advanced certified nurse aide.~~

~~A. In order to be certified as and use the title of "Advanced Certified Nurse Aide," an applicant shall meet the following qualifications:~~

- ~~1. Hold current certification as a certified nurse aide in Virginia;~~
- ~~2. Have been certified for at least three years as a certified nurse aide;~~
- ~~3. Have never had a finding of abuse, neglect or misappropriation of patient property entered on the Nurse Aide Registry and have not had any disciplinary actions taken by the board within the five years preceding application for advanced certification;~~
- ~~4. Have a recommendation for advanced certification from a licensed nurse who has supervised the applicant in providing direct patient care for at least six months within the past year; and~~
- ~~5. Have successfully completed a minimum of 120 hours of advanced training in an approved program that includes a competency evaluation acceptable to the board.~~

~~B. An application for certification shall be accompanied by an application fee of \$25.~~

~~18VAC90-20-362. Renewal and reinstatement of certification as an advanced certified nurse aide.~~

~~A. Renewal. If an individual is not eligible to renew as a certified nurse aide, certification as an advanced certified nurse aide may not be renewed. An advanced certification shall be renewed concurrently with the biennial renewal of the basic certification as a nurse aide in Virginia by:~~

- ~~1. Submitting a completed renewal form and renewal fee of \$20; and~~
- ~~2. Attesting to completing at least three contact hours per year of continuing education and training in any of the competency areas identified in the advanced certification training program. Completion of the continuing education and training required by an advanced certified nurse aide shall be verified by the employer on the renewal form. The board may grant an extension or waiver of the continuing education requirement based on good cause shown by the certified nurse aide.~~

~~B. Late renewal. An advanced certified nurse aide may renew certification for 90 days following the expiration date by meeting the requirements of subsection A of this section.~~

~~C. Reinstatement. If an advanced certification has not been renewed for 90 days following the expiration date, it shall only be reinstated if the applicant for reinstatement:~~

- ~~1. Holds current certification as a nurse aide in Virginia;~~
- ~~2. Submits a completed reinstatement application on a form provided by the board;~~
- ~~3. Pays the reinstatement fee of \$30; and~~
- ~~4. Provides evidence that he has completed all required hours of continuing education and training.~~

~~18VAC90-20-363. Requirements for an approved advanced certification education program.~~

~~A. The advanced certification education program shall be approved by the Virginia Board of Nursing. An approved advanced certification education program shall also be an approved nurse aide education program as set forth in 18VAC90-20-330.~~

~~B. An advanced certification education program shall consist of a minimum of 120 hours including a minimum of 40 hours of clinical skills instruction in direct client care with on-site supervision by instructional personnel. When nurse aides are engaged in direct client care in the course of advanced certification training, the ratio shall not exceed 10 students to one instructor.~~

~~C. The instructional personnel in an approved advanced certification education program shall meet the requirements as set forth in 18VAC90-20-330 C.~~

~~D. The curricula of an approved advanced certification education program shall, at a minimum, meet the requirements of 18VAC90-20-364.~~

~~E. Each advanced certification program shall develop an individual record of major skills taught and the date of performance by the student. At the completion of the program, the nurse aide must receive a copy of this record and a certificate of completion.~~

~~F. An advanced certification education program shall develop and submit to the board a competency evaluation based on the curriculum content required in 18VAC90-20-364. Such an evaluation shall include both a written test on the curriculum and an assessment of manual skills. A record of the reports of graduates' performance on the approved competency evaluation program shall be maintained for a minimum of three years.~~

~~G. Program review shall be in accordance with requirements of 18VAC90-20-330 I and shall be conducted concurrently with the on-site review of the basic nurse aide education program. Loss of board approval for the basic nurse aide education program shall automatically result in the loss of approval for the advanced certification education program.~~

~~H. When an advanced certification education program closes, the provider shall notify the board of the date of closing and submit a list of all graduates with their date of graduation.~~

~~18VAC90-20-364. Required curriculum content for an advanced certification education program.~~

~~A. An advanced certification education program shall include classroom and clinical instruction in the following curriculum:~~

~~1. Leadership and mentoring skills.~~

~~a. Principles of adult learning;~~

~~b. Learning styles;~~

~~c. Evaluation methods to assess learner knowledge;~~

~~d. Communication techniques and communication barriers; emphasizing cultural diversity of coworkers and clients;~~

~~e. Conflict management;~~

~~f. Precepting and mentoring new certified nurse aides;~~

~~g. Teamwork;~~

~~h. Contributing to care plan development and implementation;~~

~~i. Organizational responsibilities; and~~

~~j. Principles of documentation.~~

~~2. Care of the cognitively impaired client.~~

~~a. Signs and symptoms of dementia;~~

~~b. Concepts and techniques for addressing the unique needs and behaviors of individuals with dementia, including but not limited to agitation, combativeness, sundown syndrome, wandering, forgetfulness;~~

~~c. Basic concepts of communication with cognitively impaired clients, including techniques to reduce the effects of cognitive impairment;~~

~~d. Basic concepts of behavior management with cognitively impaired clients; and~~

~~e. Recognizing changes in the client's condition and reporting and documenting such changes.~~

~~3. Restorative care.~~

~~a. Anatomy and physiology with emphasis on the effects of aging;~~

~~b. Pathophysiology of common disorders of the elderly;~~

~~c. Measures to assist clients with common medical problems;~~

- ~~d. Recognizing changes in the client's condition and reporting and documenting such changes;~~
- ~~e. Concepts to maintain or improve client mobility and ability to perform activities of daily living; and~~
- ~~f. Rehabilitation procedures.~~
- ~~4. Wound care.~~
 - ~~a. Prevention, identification and treatment of Stage I and Stage II pressure ulcers;~~
 - ~~b. Positioning;~~
 - ~~c. Sterile and clean technique;~~
 - ~~d. Dressing changes;~~
 - ~~e. Concepts of hydration;~~
 - ~~f. Nutrition and weight loss; and~~
 - ~~g. Recognizing changes in the client's condition and reporting and documenting such changes.~~
- ~~B. Written objectives for each unit of instruction shall be stated in behavioral terms that are measurable and shall be reviewed with the students at the beginning of each unit.~~

~~Part ~~VH~~ VI~~
Medication Administration Training Program

~~Part ~~VIII~~ VII~~
Protocol for Adult Immunization

~~Part ~~IX~~ VIII~~
Delegation of Nursing Tasks and Procedures

Proposed Fast-Track Regulations

Amendments to 18VAC90-25-10 et seq. Regulations Governing Certified Nurse Aides

18VAC90-25-15. Identification; accuracy of records.

A. Any person regulated by this chapter who provides direct patient care shall, while on duty, wear identification which clearly indicates the person's first and last name and the appropriate title issued to such person by the board under which he is practicing in that setting.

B. A certificate holder who has changed his name shall submit as legal proof to the board a copy of the marriage certificate or court order evidencing the change. A duplicate certificate shall be issued by the board upon receipt of such evidence.

C. Each certificate holder shall maintain a record of his current mailing address with the board, and any change of address shall be submitted in writing to the board within 30 days of such change. All notices required by law and by this chapter to be mailed by the board to any certificate holder shall be validly given when mailed to the latest address on file with the board.

18VAC90-25-100. Disciplinary provisions for nurse aides.

The board has the authority to deny, revoke or suspend a certificate issued, or to otherwise discipline a certificate holder upon proof that he has violated any of the provisions of §54.1-3007 of the Code of Virginia. For the purpose of establishing allegations to be included in the notice of hearing, the board has adopted the following definitions:

1. Fraud or deceit in order to procure or maintain a certificate shall mean, but shall not be limited to:
 - a. Filing false credentials;
 - b. Falsely representing facts on an application for initial certification, reinstatement or renewal of a certificate; or
 - c. Giving or receiving assistance in taking the competency evaluation.
2. Unprofessional conduct shall mean, but shall not be limited to:
 - a. Performing acts beyond those authorized for practice as a nurse aide or an advanced certified nurse aide as defined in Chapter 30 (§54.1-3000 et seq.) of Title 54.1 of the Code of Virginia, and beyond those authorized by the Drug Control Act (§ 54.1-3400 et seq.) or by provisions for delegation of nursing tasks in 18VAC90-20-420 et seq.
 - b. Assuming duties and responsibilities within the practice of a nurse aide or an advanced certified nurse aide without adequate training or when competency has not been maintained;

- c. Obtaining supplies, equipment or drugs for personal or other unauthorized use;
 - d. Falsifying or otherwise altering client or employer records, including falsely representing facts on a job application or other employment-related documents;
 - e. Abusing, neglecting or abandoning clients; or
 - f. Having been denied a license or certificate or having had a license or certificate issued by the board revoked or suspended.
 - g. Giving to or accepting from a client property or money for any reason other than fee for service or a nominal token of appreciation;
 - h. Obtaining money or property of a client by fraud, misrepresentation or duress;
 - i. Entering into a relationship with a client that constitutes a professional boundary violation in which the nurse aide uses his professional position to take advantage of a client's vulnerability, to include but not limited to actions that result in personal gain at the expense of the client, an inappropriate personal involvement or sexual conduct with a client; or
 - j. Violating state laws relating to the privacy of client information, including but not limited to § 32.1-127.1:03 of the Code of Virginia.
3. For the purposes of interpreting provisions of § 54.1-3007 (7) of the Code of Virginia, a restriction on nurse aide certification shall be interpreted as having a finding of abuse, neglect or misappropriation of patient property made in another state or being placed on the abuse registry in another state.

Part III **Advanced Certification**

18VAC90-25-110. Requirements for initial certification as an advanced certified nurse aide.

A. In order to be certified as and use the title of "Advanced Certified Nurse Aide," an applicant shall meet the following qualifications:

- 1. Hold current certification as a certified nurse aide in Virginia;**
- 2. Have been certified for at least three years as a certified nurse aide;**
- 3. Have never had a finding of abuse, neglect or misappropriation of patient property entered on the Nurse Aide Registry and have not had any disciplinary actions taken by the board within the five years preceding application for advanced certification;**
- 4. Have a recommendation for advanced certification from a licensed nurse who has supervised the applicant in providing direct patient care for at least six months within the past year; and**

5. Have successfully completed a minimum of 120 hours of advanced training in an approved program that includes a competency evaluation acceptable to the board.

B. An application for certification shall be accompanied by an application fee of \$25.

18VAC90-25-120. Renewal and reinstatement of certification as an advanced certified nurse aide.

A. Renewal. If an individual is not eligible to renew as a certified nurse aide, certification as an advanced certified nurse aide may not be renewed. An advanced certification shall be renewed concurrently with the biennial renewal of the basic certification as a nurse aide in Virginia by:

1. Submitting a completed renewal form and renewal fee of \$20; and

2. Attesting to completing at least three contact hours per year of continuing education and training in any of the competency areas identified in the advanced certification training program. Completion of the continuing education and training required by an advanced certified nurse aide shall be verified by the employer on the renewal form. The board may grant an extension or waiver of the continuing education requirement based on good cause shown by the certified nurse aide.

B. Late renewal. An advanced certified nurse aide may renew certification for 90 days following the expiration date by meeting the requirements of subsection A of this section.

C. Reinstatement. If an advanced certification has not been renewed for 90 days following the expiration date, it shall only be reinstated if the applicant for reinstatement:

1. Holds current certification as a nurse aide in Virginia;

2. Submits a completed reinstatement application on a form provided by the board;

3. Pays the reinstatement fee of \$30; and

4. Provides evidence that he has completed all required hours of continuing education and training.

18VAC90-25-130. Requirements for an approved advanced certification education program.

A. The advanced certification education program shall be approved by the Virginia Board of Nursing. An approved advanced certification education program shall also be an approved nurse aide education program as set forth in 18VAC90-25-20.

B. An advanced certification education program shall consist of a minimum of 120 hours including a minimum of 40 hours of clinical skills instruction in direct client care with on-site supervision by instructional personnel. When nurse aides are engaged in direct client care in the course of advanced certification training, the ratio shall not exceed 10 students to one instructor.

C. The instructional personnel in an approved advanced certification education program shall meet the requirements as set forth in 18VAC90-25-30.

D. The curricula of an approved advanced certification education program shall, at a minimum, meet the requirements of 18VAC90-25-140.

E. Each advanced certification program shall develop an individual record of major skills taught and the date of performance by the student. At the completion of the program, the nurse aide must receive a copy of this record and a certificate of completion.

F. An advanced certification education program shall develop and submit to the board a competency evaluation based on the curriculum content required in 18VAC90-25-140. Such an evaluation shall include both a written test on the curriculum and an assessment of manual skills. A record of the reports of graduates' performance on the approved competency evaluation program shall be maintained for a minimum of three years.

G. Program review shall be in accordance with requirements of 18VAC90-25-60 and shall be conducted concurrently with the on-site review of the basic nurse aide education program. Loss of board approval for the basic nurse aide education program shall automatically result in the loss of approval for the advanced certification education program.

H. When an advanced certification education program closes, the provider shall notify the board of the date of closing and submit a list of all graduates with their date of graduation.

18VAC90-25-140. Required curriculum content for an advanced certification education program.

A. An advanced certification education program shall include classroom and clinical instruction in the following curriculum:

1. Leadership and mentoring skills.

a. Principles of adult learning;

b. Learning styles;

c. Evaluation methods to assess learner knowledge;

d. Communication techniques and communication barriers; emphasizing cultural diversity of coworkers and clients;

e. Conflict management;

f. Precepting and mentoring new certified nurse aides;

g. Teamwork;

h. Contributing to care plan development and implementation;

i. Organizational responsibilities; and

j. Principles of documentation.

2. Care of the cognitively impaired client.

a. Signs and symptoms of dementia;

b. Concepts and techniques for addressing the unique needs and behaviors of individuals with dementia, including but not limited to agitation, combativeness, sundown syndrome, wandering, forgetfulness;

c. Basic concepts of communication with cognitively impaired clients, including techniques to reduce the effects of cognitive impairment;

d. Basic concepts of behavior management with cognitively impaired clients; and

e. Recognizing changes in the client's condition and reporting and documenting such changes.

3. Restorative care.

a. Anatomy and physiology with emphasis on the effects of aging;

b. Pathophysiology of common disorders of the elderly;

c. Measures to assist clients with common medical problems;

d. Recognizing changes in the client's condition and reporting and documenting such changes;

e. Concepts to maintain or improve client mobility and ability to perform activities of daily living; and

f. Rehabilitation procedures.

4. Wound care.

a. Prevention, identification and treatment of Stage I and Stage II pressure ulcers;

b. Positioning;

c. Sterile and clean technique;

d. Dressing changes;

e. Concepts of hydration;

f. Nutrition and weight loss; and

g. Recognizing changes in the client's condition and reporting and documenting such changes.

B. Written objectives for each unit of instruction shall be stated in behavioral terms that are measurable and shall be reviewed with the students at the beginning of each unit.